

VZCZCXYZ0007  
PP RUEHWEB

DE RUEHKV #3065 3481027  
ZNR UUUUU ZZH  
P 141027Z DEC 07  
FM AMEMBASSY KYIV  
TO RUEHC/SECSTATE WASHDC PRIORITY 4565  
INFO RUCPDO/USDOC WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC

UNCLAS KYIV 003065

SIPDIS

SIPDIS

COMMERCE FOR 4231/ITA/OEENIS/NISD/CLUCYCK  
COMMERCE PLEASE PASS TO USPTO FOR BMCAFFREY  
STATE FOR EUR/UMB AND EB/TPP/IPE

E.O. 12958: N/A

TAGS: [ETRD](#) [KIPR](#) [ECON](#) [UP](#)

SUBJECT: EN2008FEB(UKRAINE): NOMINATION FOR FEBRUARY USPTO-GIPA  
TRAINING ON IPR ENFORCEMENT

REF: STATE 161326

¶1. In response to ref A, Post nominates the following Ukrainian officials, in priority order, to participate in USPTO's Global Intellectual Property Academy (GIPA) training on IPR enforcement at USPTO headquarters in Alexandria, Virginia, February 11-14, 2008:

-- Ms. Tatyana Sapalyova, Judge, Vinnitsa District Administrative Court

-- Mr. Vitaliy Shchavinsky, Judge, Zhytomir District Administrative Court

-- Ms. Tetyana Demchenko, Member, Scientific Advisory Board of the High Commercial Court of Ukraine (Section of Procedural and Intellectual Property Law)

-- Mrs. Inna Shatova, Head of the IPR Enforcement Division, State Department of Intellectual Property (SDIP)

¶2. Post requests funding for travel (including airfare), per diem, and lodging expenses for as many of the nominees as possible. Protecting intellectual property rights in Ukraine remains a priority U.S. goal. Between 2002 and 2005, Ukraine was the only country given Priority Foreign Country status in USTR's Special 301 report on the adequacy and effectiveness of intellectual property rights protection around the world. The GOU has made significant efforts to improve its protection of IPR in recent years, however, and the USG lowered Ukraine's designation under Special 301 from Priority Foreign Country to Priority Watch List in early 2006. Yet the government of Ukraine, one of the poorest countries of Europe, continues to be limited by budgetary considerations in its ability to address IPR infringement. The nominees will likely benefit substantially from the GIPA training. Post greatly appreciates Washington's consideration of this request for financial assistance.

¶3. Post has listed the nominees in para 1 in priority order, i.e. with those we expect to benefit most from the training, and to have the greatest impact in improving IPR enforcement in Ukraine, listed at the top. Numerous industry reps and even some GOU officials have described the courts, especially at the regional level, as the weakest link in IPR enforcement in Ukraine. Tatyana Sapalyova is a newly-appointed judge in the Vinnitsa District Administrative Court, in western Ukraine, and could benefit greatly from exposure to IPR enforcement issues. Vitaliy Shchavinsky is also a young judge who likewise could benefit from the GIPA program. He serves in the Zhytomir District Administrative Court, in western Ukraine. Tetyana Demchenko, who has passed her judicial exams and is expected to be appointed as a judge in the Kyiv City Commercial Court, already has significant expertise on IPR issues but would likely benefit from learning more about U.S. practice. Inna Shatova, although a strong

candidate due to her important position at SDIP, Ukraine's lead agency for IPR, has already participated in several Department of Commerce-financed IPR seminars, one of which was held in Washington - the others in Ukraine. While she has not participated in the GIPA program, Post nominates her only as an alternate in case the number of worldwide candidates is low.

¶4. Post will send an email notification of this nomination, along with the candidates' translated CVs, to USPTO liaison Barbara McCaffrey. Post's POC for this program is Christian Yarnell, Economic Officer - Email: [yarnellc@state.gov](mailto:yarnellc@state.gov); Phone: 011-380-44-490-4276; Fax: 011-380-44-490-4277.

TAYLOR